

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

MICHAEL RODNEY REIGER

Defendant.

Case No. 2:14-cr-0380-APG-NJK

**ORDER ACCEPTING MAGISTRATE  
JUDGE'S REPORT AND  
RECOMMENDATION ON MOTION TO  
SUPPRESS**

10 On April 3, 2015, defendant Michael Reiger filed a motion to suppress all physical evidence  
11 seized during the inventory search of his pickup truck. (Dkt. #11.) On May 14, 2015, Magistrate  
12 Judge Koppe entered her Report and Recommendation recommending that the motion to suppress  
13 be denied. (Dkt. #18.) Pursuant to Local Rule IB 3-2, any objection to the Report and  
14 Recommendation had to be filed in writing within 14 days. To date, no objection has been filed. I  
15 am not required to conduct “any review at all . . . of any issue that is not the subject of an objection.”  
16 *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Ninth Circuit has confirmed that a district court is  
17 not required to review a magistrate judge’s report and recommendation where no objection has  
18 been filed. See *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (“[T]he district  
19 judge must review the magistrate judge’s findings and recommendations de novo if objection is  
20 made, but not otherwise.”); see also *Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D.Ariz.  
21 2003) (Based on *Thomas* and *Reyna-Tapia*, “district courts are not required to conduct any review  
22 at all . . . of any issue that is not the subject of an objection.”). Because there is no objection to the  
23 magistrate judge’s recommendation, I may accept the recommendation without review.

24 Nevertheless, I have conducted a *de novo* review of the motion to suppress and related  
25 papers and I accept Magistrate Judge Koppe’s Report and Recommendation. The Report and  
26 Recommendation sets forth the proper legal analysis, and the factual basis, for the decision. I also  
27 agree with the Government’s position (adopted by Magistrate Judge Koppe) that no evidentiary

1 hearing was required because the parties' papers did not raise any disputed factual issues regarding  
2 the lawfulness of the search. (Dkt. #14 at 4:9-10. *See also*, Case No. 2:14-cr-249, Dkt. #515 at 6-8,  
3 #519.) Good cause appearing,

4 **IT IS HEREBY ORDERED** that Magistrate Judge Koppe's Report and Recommendation  
5 is accepted and approved.

6 Dated: June 3, 2015.

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8 ANDREW P. GORDON  
9 UNITED STATES DISTRICT JUDGE  
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